

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRYL ANTHONY ROBINSON,

Plaintiff,

v. CASE NO. 05-CV-73163-DT
HONORABLE AVERN COHN

IVANA RAIRIGH, et al.,

Defendants.

ORDER DENYING PLAINTIFF'S REQUEST TO RESCIND

This is a prisoner civil rights case under 42 U.S.C. § 1983. On September 21, 2005, the Court dismissed the complaint. See Opinion and Order Summarily Dismissing Complaint and Vacating Order of Reference.

Before the Court is Plaintiff's request to rescind the Court's September 21, 2005 order. The Court dismissed the complaint for failure to state a claim upon which relief may be granted and on the basis of immunity. Plaintiff essentially seeks reconsideration of the Court's dismissal order.

A motion for reconsideration which presents issues already ruled upon by the district court, either expressly or by reasonable implication, will not be granted. See *Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Plaintiff has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by

Local Rule 7.1(g)(3). Further, the United States Court of Appeals for the Sixth Circuit has affirmed this Court's dismissal decision. See *Robinson v. Rairigh, et al.*, No. 05-2401 (6th Cir. Jan. 30, 2006).

Accordingly, Plaintiff's request to rescind is DENIED.

SO ORDERED.

Dated: June 12, 2006

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 12, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager
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